

**GENERAL OSTEOPATHIC COUNCIL
PROFESSIONAL CONDUCT COMMITTEE**

Professional Conduct Committee Hearing

DECISION

Case of:	Louise Ellison (Respondent)
Committee:	Pamela Ormerod (Chair) Manjit Darby (Lay) Caroline Easter (Osteopath)
Legal Assessor:	Peter Steel
Representation for Council:	Andrew Faux
Representation for Respondent:	The Respondent represented herself
Clerks to the Committee:	Sajinee Padhiar
Date of Hearing:	4 & 5 June 2025 (<i>Day 1 in person, Day 2 remotely</i>)

Summary of Decision:

The Committee found that the convictions as described in the allegation were proved and were materially relevant to the Registrant's fitness to practise osteopathy and imposed a sanction of admonishment.

Allegation:

The allegation (*as amended by the PCC – see below at paragraph 5 of the substantive decision onwards – with the amendments shown in red and underlined*) is that Ms Louise Ellison (the Registrant) has been convicted in the United Kingdom of a criminal offence, contrary to section 20(1)(c) of the Osteopath Act 1993, in that:

1. On 28 January 2022, the Registrant was convicted in the Crown Court at Canterbury for Breach of a Non-Molestation Order.

2. On 20 September 2022 in the Crown Court at Canterbury, following the conviction at paragraph 1, the Registrant was:

- a. sentenced to a Community Order for 12 months with a Rehabilitation Activity Requirement for 20 days
- b. made the subject of a Restraining Order for 5 years
- c. ordered to pay a Victim Surcharge of £95.00

3. On 23 October 2023, the Registrant was convicted in the Crown Court at Canterbury for Breach of a Non-Molestation Order and Harassment (breach of restraining order on conviction)

4. On 8 December 2023 in the Crown Court at Canterbury, following the conviction for breach of a Non-Molestation Order at paragraph 3, the Registrant was:

- a. sentenced to a Suspended Sentence Order - imprisonment committed to prison for 15 months suspended for 2 years
- b. sentenced to Rehabilitation Activity Requirement for up to a maximum of 25 days
- c. sentenced to unpaid work for 100 hours required to be completed within 12 months
- d. ordered to pay a Victim Surcharge of £187.00

5. On 8 December 2023 in the Crown Court at Canterbury, following the conviction for Harassment in paragraph 3, the Registrant was:

- a. sentenced to a Suspended Sentence Order - committed to prison for 15 Months, suspended for 2 years, to run concurrent
- b. sentenced to Rehabilitation Activity Requirement for up to a maximum of 25 days, to run concurrent
- c. sentenced to unpaid work for 100 hours to be completed within 12 months, to run concurrent

Details of Decision:

Preliminary Matters:

1. The parties and the Committee introduced themselves.

Declarations:

2. Prior to the commencement of a hearing, each member of the Professional Conduct Committee (PCC) is required to declare that they know of no reason why they should not sit upon the case. This declaration is intended to ensure that fairness is done and is seen to be done to all parties.
3. Each member of the PCC made this declaration.

Bundles

4. The Chair took the parties through the documentation to ensure everyone had the same material.

Amending the Allegation

5. Mr Faux, acting on behalf of the Council, applied to amend the allegations as marked in red and underlined under the heading "**Allegation**" above. Mr Faux submitted that the intention behind the amendments was simply to reflect accurately the actual wording contained on the certificates of conviction for the two convictions.
6. The Registrant disagreed with the proposed amendments, who said she was confused by them and that the date of the non-molestation order contained in the second certificate of conviction was incorrect.
7. The Committee accepted the advice of the Legal Assessor about its ability to permit amendment of the allegation under Rule 24 of the General Osteopathic Council Professional Conduct Committee (Procedure) Rules Order of Council 2000 (the Rules).
8. Having considered the proposed amendments and the oral representations the Committee concluded that there would be no injustice in acceding to the application. The Committee accepted that the effect of the amendment was to reflect the terms of the second conviction and the sanction set out in the certificate of conviction, about which the Registrant was already aware. The Committee was clear that the proposed amendments were not expanding the scope of the case against the Registrant. It therefore allowed the amendments as set out above.

Proof of convictions

9. Following the conclusion of the application for amendments to the allegations, in accordance with the procedure set out in Rule 26 of the Rules, Mr Faux drew the Committee's attention to the two certificates of conviction contained in the bundle.
10. Mr Faux said that the first certificate of conviction which was signed by an officer of the Court and was dated 9 November 2022 provided evidence in accordance with Rule 26 (1)(b) of the Rules of the Registrant's first conviction for breach of a non-molestation order as described in particulars 1 and 2 of the allegation.

11. The second certificate, dated 4 April 2024, and also signed by an officer of the Court, provided evidence of the Registrant's second conviction for breach of a non-molestation order and harassment as detailed in particulars 3 – 5 of the allegation.
12. The Registrant was asked whether she accepted the evidence of her convictions. She confirmed that she was the person convicted in each instance.
13. The Committee noted that it was not open to a registrant under the PCC Rules to argue that they were wrongly convicted, only to argue that they were not the person convicted. The Registrant had accepted that she was convicted and sentenced as set out in both certificates, but she made clear that she disagreed with those decisions.
14. Having accepted the advice of the Legal Assessor about the order of proceedings in conviction cases and the extent to which a registrant could seek to go behind convictions (by reference to the cases of *Spackman v GMC* [1943] AC 627 and *Shepherd v Law Society* [1996] EWCA Civ 977), the Committee therefore determined that in the light of the certificates of convictions produced to it, both convictions were proved.

Background and submissions on relevance of the convictions to the practice of osteopathy

Opening on behalf of the Council

15. Mr Faux referred the Committee to the Council's skeleton argument and explained the background to the allegations before the Committee by reference to the sentencing remarks of HHJ Taylor KC in the September 2022 sentencing hearing and of HHJ James in the December 2023 sentencing hearing.
16. [REDACTED]
[REDACTED] . The Family Court imposed a non – molestation order on the Registrant [REDACTED]
[REDACTED]
17. The Registrant's first conviction in January 2022 resulted from her breaching that court order [REDACTED]
[REDACTED]
18. On 20 September 2022, HHJ Taylor KC sitting at the Crown Court in Canterbury sentenced the Registrant to a Community Order for 12 months with a Rehabilitation Activity Requirement for 20 days, made her subject to a Restraining Order for 5 years and ordered her to pay a Victim Surcharge of £95.00.
19. Mr Faux referred the Committee to an undated letter from the Probation Service which the Registrant had supplied and which confirmed that she had completed the Rehabilitation Activity Requirement days as ordered.

20. The Registrant was however convicted for a second time on 23 October 2023, having breached both the non-molestation order made by the Family Court as well as the criminal restraining order imposed by the Crown Court as part of the first sentence.

21. The Registrant was sentenced for these convictions on 8 December 2023. The sentencing judge on this occasion referred to the sentence imposed by HHJ Taylor KC and said as follows:

7.

[REDACTED]

8.

[REDACTED]

9.

[REDACTED]

10.

[REDACTED]

14. In such circumstances I have absolutely no hesitation in concluding that your offending is so serious that it justifies the imposition of an immediate sentence of imprisonment. ...

17. Considering that you have pleaded guilty and that there has apparently been no further breaches now for some months, I have just about been persuaded to give you a last and final chance to come to your senses."

22. Mr Faux said that HHJ James had then imposed the sentence described at paragraphs 4 and 5 of the Allegation above.

23. On the question of the relevance of the convictions to the practice of osteopathy, Mr Faux submitted that the GOsC acknowledged that the Registrant had not been convicted of fraud or violence and that the criminal behaviour in question was simply sending emails to third parties. Further, the GOsC did not allege that the Registrant was a danger to patients.

24. Mr Faux said that osteopaths, just as other professionals, are required to abide by their professional rules, including the Osteopathic Practice Standards ("OPS"). He submitted that both the fact of the Registrant's convictions themselves, and the

behaviour that lay behind them of persistently disregarding orders of the criminal courts, engaged the standards of behaviour set out in OPS D7 ("You must uphold the reputation of the profession at all times through your conduct, in and out of the workplace").

25. For those reasons, Mr Faux said that the PCC should find the Registrant's convictions to be materially relevant to her fitness to practise as an osteopath. He said that for the Committee to do otherwise would undermine public trust and confidence in the profession and fail to uphold proper standards.

Registrant's evidence and submissions on relevance of the convictions to the practice of osteopathy

26. The Registrant gave evidence on affirmation. She expressed her sorrow that the Committee should think she had behaved badly. She referred to the lengthy and complicated background of the family proceedings in which she was involved and said that she had been caught up in a court system she did not understand.

27. The Registrant said she had graduated in July 1995 from the European School of Osteopathy ("ESO"). She had worked since 1995 as an osteopath, beginning at practices in Bath and Chippenham and subsequently including a spell working in Sydney, Australia.

28. At the time of the family matters in 2017 that had led to the convictions, the Registrant stated that she had been living in Bristol and working in Bristol and Bath. In October 2017, the Registrant said she moved to Tunbridge Wells and built up an osteopathy business there, subsequently moving to Folkestone in 2018. She had worked as a cover tutor at ESO from 2018 until 2020. The Registrant said she now worked at practices in Folkestone and in New Romney. She referred the Committee to a supportive reference from her current clinic principal at the Natural Health Centre in Folkestone.

29. The Registrant said that she wanted the Committee to understand that the evidence in the criminal court hearings had been incomplete. The Registrant did not believe she had had a fair trial or the Crown Court had dealt with her correctly. Further, the Registrant said she did not consider that she had damaged the reputation of the profession [REDACTED]

[REDACTED]. She said that she could not see the difference between what she had done professionally in terms of safeguarding and what she had done [REDACTED] which had led to the convictions.

30. The Registrant said that a number of osteopath colleagues, including the clinic principal who had provided the testimonial for her knew about the circumstances and did not think it affected her ability as an osteopath. The Registrant said that she had never had a complaint from a patient. She currently treated a wide range of patients, including children and patients with special needs. Finally, the Registrant confirmed that she had contacted the GOsC herself about her court cases and had liaised

throughout with the GOsC team. She had done so because she was aware that she had to tell the GOsC about the convictions.

The Committee's determination on relevance of the convictions to the practice of osteopathy

31. The Committee received and accepted the advice of the Legal Assessor as to their function at this stage of proceedings involving convictions. It noted the principles set out in the case of *Ryan Beckwith v Solicitors Regulation Authority* [2020] EWHC 3231 (Admin), in particular that there is no hard and fast rule either that regulation of professionals may never be directed to the regulated person's private life, or that any aspect of a regulated person's private life is liable to scrutiny. Rather such regulation should reach into private life only when conduct that is part of a person's private life realistically touches on her practise of the profession or the standing of the profession.
32. The Committee also took careful account of paragraph D7 of the OPS which states:
- "You must uphold the reputation of the profession at all times through your conduct, in and out of the workplace. The public's trust and confidence in the profession, and the reputation of the profession generally, can be undermined by an osteopath's professional or personal conduct. You should have regard to your professional standing, even when you are not acting as an osteopath."*
33. Paragraph D7 goes on to set out a non-exhaustive list of what *"Upholding the reputation of the profession may include"* which includes:
- "2.1 Acting within the law at all times (criminal convictions may be evidence that an osteopath is unfit to practise)"; and*
- "2.7 Not behaving in an aggressive way in your personal life."*
34. The Committee accepted the submission on behalf of the GOsC which was to the effect that the first conviction on its own may not have been found materially relevant to the fitness of the Registrant to practise osteopathy in light of the particular circumstances of this case. However, the Registrant had received a second conviction for similar conduct to her first conviction very shortly after having been made subject to a restriction order by the Crown Court.
35. The Committee was of no doubt that such behaviour, even though it occurred within the Registrant's private life, engaged paragraph D7 of the OPS. The Registrant had failed to act within the law despite the explicit restriction on her conduct which the Crown Court had ordered on the first occasion she appeared before it. It also considered that the underlying behaviour – [REDACTED] – was behaviour that could reasonably be considered aggressive, albeit no physical violence was involved.
36. The Committee therefore concluded that the convictions were of material relevance to the Registrant's fitness to practise osteopathy. It therefore continued to hear evidence and submissions from the parties on sanction.

Submissions on sanction on behalf of the GOsC

37. Mr Faux said that the GOsC accepted that there were no issues of public safety in this case, and the concerns related entirely to the reputation of the profession and the need to uphold proper standards. He submitted that the Committee needed to form a view on the seriousness of the offending and the proportionate response to that sufficient to maintain public confidence in the profession.
38. Mr Faux referred the Committee to the sentencing remarks in the two criminal cases, which carefully indicated the circumstances of the offending. The GOsC accepted that this offending was limited to behaviour in the Registrant's private life. Mr Faux suggested the Committee would have careful regard to its context. Mr Faux said that the Registrant had displayed only limited insight given her views on the convictions. However, he said that the best guide to the Registrant's insight might be that there had been no repetition of the offending behaviour over some time since the last conviction.
39. Mr Faux referred the Committee to the relevant parts of the Hearings and Sanction Guidance including the aggravating and mitigating features relevant to sanction. He concluded by reminding the Committee that the principle of proportionality included understanding the impact of any sanction on an individual registrant. Mr Faux said that the case law also made clear that the public interest may also require an osteopath to remain or return to safe and competent practise.

The Registrant's evidence and submissions on sanction

40. The Registrant again gave evidence on affirmation. [REDACTED]
41. The Registrant also told the Committee that she relied on her earnings from her osteopathic work. The Registrant said that osteopathy was all she knew, and if her right to practise was removed she would effectively be destitute and would need to move back in with her elderly parents. She had no assets or savings, nor any other income other than a small regular payment from a charity.
42. The Registrant said that she had a substantial number of patients who relied on her for treatment, and that these included a number with special needs. The Registrant did not think her employers would be able to replace her services easily. She reminded the Committee of the positive reference from one of her current clinic principals and assured the Committee that there would be no repetition of her conduct. The Registrant asked the Committee to consider all this in arriving at its decision.

The Committee's Decision on Sanction

43. The Committee had regard to the submissions of the parties and accepted the advice of the legal assessor on sanction, in particular the principles outlined in the cases of *PSA v GDC & Naveed Patel* [2024] EWHC 243 (Admin) and *Council for the Regulation of Health Care Professionals v GDC v Fleischmann* [2005] EWHC 87.

44. The Committee took into account the guidance in the Council's Hearings and Sanctions Guidance (May 2025).
45. With regard to aggravating factors, the Committee noted that the convictions had involved a course of conduct by the Registrant over a substantial period of time, and the fact that she had not heeded the warning given to her by her first conviction leading to a second conviction, aggravated the seriousness of the matter. Further, the Committee observed that the Registrant had only a limited appreciation that what she had done was wrong. Nor did she provide any meaningful acknowledgement of the effect of her convictions on the profession and on public confidence in osteopathy.
46. In respect of mitigating factors, the Committee noted that the Registrant had self-reported her convictions, which demonstrated some insight into her behaviour, despite her views on the fairness of her convictions. She was also of previous good character.
47. The Registrant had successfully completed the remediation activity ordered by the Court on both occasions. The Committee also noted that the offences were confined to her private life and that she believed in committing them that she was in fact doing the right thing. Further, the problems that had led to the convictions had not adversely affected her professional work.
48. [REDACTED]. It also noted that the Registrant had not breached the restraining order or non-molestation order since she was sentenced on 8 December 2023, which gave some assurance about the likelihood of her repeating her offending behaviour.
49. The Committee recalled that the purpose of a sanction is not to be punitive, although it may have that effect. Rather, its purpose is to protect patients and the wider public interest. The Committee bore in mind the necessity for any sanction to be proportionate, taking into account both the Registrant's interests and the need to uphold the public interest.
50. The Committee first considered whether to admonish the Registrant. Clearly the Registrant's convictions were not trivial and had ultimately resulted in a sentence of imprisonment. The Committee had found them to be of material relevance to the Registrant's fitness to practise. The Committee nonetheless considered that the Registrant's offending had to be viewed in its full, and exceptional, context. Although the Registrant's conduct was deplorable, and reflected badly on her, the Committee felt that an ordinary, intelligent member of the public, aware of all the circumstances, would feel a degree of sympathy for her situation.
51. Similarly, the Committee acknowledged that there were no patient safety concerns in this case. The public interest also encompassed retaining the services of an otherwise competent osteopath where that was the appropriate and proportionate disposal. Given all it had heard, the Committee was able to conclude that these factors meant that an admonishment could suffice to address the particular circumstances of this case.

52. The Committee went on to consider whether a conditions of practice order would be appropriate. The Committee concluded that, as acknowledged by the GOsC's representative, conditions of practice were not appropriate in this situation, because, as noted above, the Registrant's convictions did not encroach on her professional practice. It was therefore difficult to see how any such conditions could do anything more than echo the ongoing restriction order already imposed by the criminal courts.
53. By way of a check on its reasoning, the Committee went on to consider whether a suspension would be appropriate by reference to the relevant factors set out in the Hearings and Sanctions Guidance.
54. The Registrant's behaviour in breaching court order was undoubtedly a breach of paragraph D7 of the OPS. However, the Committee concluded that, in all the circumstances of this case, it was not so serious that an admonishment was an inappropriate sanction. As noted previously, given what it had heard about the Registrant's practice, protection of the public was not an issue in her case. Further she had demonstrated some degree of insight and some capacity for remediation by her subsequent conduct.
55. All of these matters indicated to the Committee that an admonishment was sufficient to mark its disapproval of the Registrant's behaviour. By contrast, imposing a suspension would be disproportionate and unnecessarily punitive.
56. The Committee hoped that in adopting this relatively lenient course, the Registrant would recognise her responsibility to maintain professional standards at all times and that her behaviour had been completely unacceptable. Further, that any repetition would undoubtedly be considered very seriously not only by the criminal courts, but also by her regulator.
57. The Committee therefore ordered that the Registrant be admonished.

Under Section 31 of the Osteopaths Act 1993 there is a right of appeal against the Committee's decision.

The Registrant will be notified of the Committee's decision in writing in due course.

All final decisions of the Professional Conduct Committee are considered by the Professional Standards Authority for Health and Social Care (PSA). Section 29 of the NHS Reform and Healthcare Professions Act 2002 (as amended) provides that the PSA may refer a decision of the Professional Conduct Committee to the High Court if it considers that the decision is not sufficient for the protection of the public.